

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

**FRACTUS, S.A.,**

**v.**

**ADT LLC d/b/a ADT SECURITY  
SERVICES**

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**Civil Action No. 2:22-cv-00412-JRG  
(Lead Case)**

Jury Trial Requested

**[PROPOSED] ORDER TO AMEND THE DOCKET CONTROL ORDER**

The Court is in receipt of Plaintiff's unopposed motion to amend the Docket Control Order, Dkt. 41. It is hereby **ORDERED** that the following schedule of deadlines is in effect until further order of this Court:

| <b>Current Date</b>           | <b>Proposed Amended Date</b> | <b>Event</b>   |
|-------------------------------|------------------------------|--|
| July 8, 2024                  |                              | *Jury Selection – 9:00 a.m. in Marshall, Texas   |
| 7 days before Jury Selection  |                              | *Defendant to disclose final invalidity theories, final prior art references/combinations, and final equitable defenses.   |
| 10 days before Jury Selection |                              | * Plaintiff to disclose final election of Asserted Claims  |
| June 10, 2024                 |                              | If a juror questionnaire is to be used, an editable (in Microsoft Word format) questionnaire shall be jointly submitted to the Deputy Clerk in charge by this date   |
| June 3, 2024                  |                              | *Pretrial Conference – 9:00 a.m. in Marshall, Texas before Judge Rodney Gilstrap   |
| May 28, 2024                  |                              | *Notify Court of Agreements Reached During Meet and Confer<br><br>The parties are ordered to meet and confer on any outstanding objections or motions <i>in limine</i> . The parties shall advise the Court of |

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|                |                | any agreements reached no later than 1:00 p.m. three (3) business days before the pretrial conference.   |
| May 28, 2024   |                | *File Joint Pretrial Order, Joint Proposed Jury Instructions, Joint Proposed Verdict Form, Responses to Motions <i>in Limine</i> , Updated Exhibit Lists, Updated Witness Lists, and Updated Deposition Designations   |
| May 20, 2024   |                | *File Notice of Request for Daily Transcript or Real Time Reporting.<br><br>If a daily transcript or real time reporting of court proceedings is requested for trial, the party or parties making said request shall file a notice with the Court and e-mail the Court Reporter, Shawn McRoberts, at shawn_mcroberts@txed.uscourts.gov.  |
| May 13, 2024   |                | File Motions <i>in Limine</i><br><br>The parties shall limit their motions <i>in limine</i> to issues that if improperly introduced at trial would be so prejudicial that the Court could not alleviate the prejudice by giving appropriate instructions to the jury.  |
| May 13, 2024   |                | Serve Objections to Rebuttal Pretrial Disclosures  |
| May 6, 2024    |                | Serve Objections to Pretrial Disclosures; and Serve Rebuttal Pretrial Disclosures  |
| April 22, 2024 | April 29, 2024 | Serve Pretrial Disclosures (Witness List, Deposition Designations, and Exhibit List) by the Party with the Burden of Proof   |
| April 15, 2024 | April 22, 2024 | *Response to Dispositive Motions (including Daubert Motions). Responses to dispositive motions that were filed prior to the dispositive motion deadline, including Daubert Motions, shall be due in accordance with Local Rule CV-7(e), not to exceed the deadline as set forth in this Docket Control Order.4 Motions for Summary Judgment shall comply with Local Rule CV-56 |

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| April 1, 2024     | April 8, 2024  | <p>*File Motions to Strike Expert Testimony (including <i>Daubert</i> Motions)</p> <p>No motion to strike expert testimony (including a <i>Daubert</i> motion) may be filed after this date without leave of the Court.</p>  |
| April 1, 2024     | April 8, 2024  | <p>*File dispositive motions</p> <p>No dispositive motion may be filed after this date without leave of the Court. Motions shall comply with Local Rule CV-56 and Local Rule CV-7. Motions to extend page limits will only be granted in exceptional circumstances. Exceptional circumstances require more than agreement among the parties.</p> |
| March 25, 2024    | April 1, 2024  | Deadline to Complete Expert Discovery  |
| March 18, 2024    | March 25, 2024 | Serve Disclosures for Rebuttal Expert Witnesses  |
| February 27, 2024 | March 5, 2024  | Deadline to Complete Fact Discovery and File Motions to Compel Discovery   |
| April 22, 2024    | April 29, 2024 | Serve Disclosures for Expert Witnesses by the Party with the Burden of Proof   |